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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ ARB.P. 152/2002

E.C.CONSTRUCTION P.LTD. ..... Petitioner
Through: Mr.Bhumit Solanki, Advocate

versus

SOUMYA CONST. P.LTD. ..... Respondent
Through: Mr.Girdhar Govind & Mr.Noor Alam, Advocates

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 20.01.2020

I.A. 726/2020 *(by the petitioner for directions)*

1. Issue notice. Mr.Girdhar Govind, learned counsel, accepts notice on behalf of the respondent. By the consent of the parties, the application is taken up for disposal.

2. The petitioner has filed this application seeking fixation of a time limit for conclusion of the arbitration proceedings.

3. This Court, by an order dated 06.10.2004, had appointed a former Judge of this Court as the sole arbitrator to adjudicate the disputes between the parties. It is stated that the learned arbitrator entered into the reference on 17.01.2005. The contention of the petitioner, which is disputed by Mr.Govind at the bar, is that the respondent has been delaying the conclusion of the proceedings, by reason whereof the arbitration proceedings remain pending despite passage of over fifteen years since the learned arbitrator entered into the reference. The petitioner has also contended that the final arguments of the respondent have been proceeding for the last two years over thirteen hearings.

The contention of the respondent is that the arbitration proceedings were delayed for a period of over three years in the interregnum due to non appearance of the petitioner.

4. Without entering into the merits of the rival contentions of the parties, I am of the view that directions are required at this stage to ensure that the proceedings now conclude without further delay. Mr.Girdhar Govind, learned counsel for the respondent, states that he would require six to eight hours to conclude his submissions. Mr.Bhumit Solanki, learned counsel for the petitioner, submits that he would confine his submissions in rejoinder to two hours.

5. In this view of the matter, and keeping in mind the long pendency of these proceedings, the learned arbitrator is requested to fix sittings of four hours per day, preferably over two consecutive days, to conclude the arguments of the respondent, and a sitting of two hours to conclude the arguments of the petitioner herein. The learned arbitrator is requested to endeavour to conclude the hearing as aforesaid by 31.03.2020, and to make his award as expeditiously as possible thereafter, and in any event, by 30.06.2020. Of course, if considered appropriate, the learned arbitrator may call for supplementary written submissions from the parties.

6. Learned counsel for the parties assure the Court that they will cooperate with the learned arbitrator to secure compliance with these timelines.

7. The application stands disposed of.

PRATEEK JALAN, J

JANUARY 20, 2020/*'hkaur'/s*